

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ROSS NEELY SYSTEMS, INC.

Plaintiff

VS.

**NAVISTAR, INC. and NAVISTAR
INTERNATIONAL CORPORATION,**

Defendants.

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CIVIL ACTION NO. 3:13-cv-01587-M

UNOPPOSED MOTION TO DISMISS WITH PREJUDICE

Comes now Plaintiff Ross Neely Systems, Inc. (“Plaintiff”) and files this Unopposed Motion to Dismiss with Prejudice pursuant to FRCP 41(a)(2) (the “Motion”), and in support would respectfully show the Court the following:

Plaintiff Ross Neely Systems, Inc. hereby files its Unopposed Motion to Dismiss with Prejudice all Plaintiff’s claims in the above-entitled matter pursuant to FRCP 41(a)(2), with each party bearing the costs incurred by that party. Defendants Navistar International Corporation and Navistar, Inc. do not oppose such dismissal.

WHEREFORE PREMISES CONSIDERED, the Plaintiff prays that the Court grant this Unopposed Motion to Dismiss with Prejudice and grant the Plaintiff such other and further relief to which it may prove itself entitled.

Respectfully submitted,

BASDEN & IVIE
A Professional Corporation

By: /s/ Elizabeth Basden

Elizabeth Basden
State Bar No. 24034317
eli@basdenivie.com
John H. Ivie, III
State Bar No. 24032463
john@basdenivie.com
17300 Dallas Parkway, Suite 3160
Dallas, Texas 75248
(972) 381-8700 (telephone)
(972) 248-9405 (facsimile)

And

GRANT & EISENHOFER P.A.

Adam J. Levitt
Illinois State Bar No. 6216433
alevitt@gelaw.com
John E. Tangren
Illinois State Bar No. 6279906
jtangren@gelaw.com
30 North LaSalle Street, Suite 1200
Chicago, Illinois 60602
(312) 214-0000 (telephone)
(312) 214-0001 (facsimile)

LIEFF, CABRASER, HEIMANN &
BERNSTEIN, LLP

Kristen Law Sagafi
California State Bar No. 222249
klaw@lchb.com
275 Battery Street, 29th Floor
San Francisco, California 94111-3339
(415) 956-1000 (telephone)
(415) 956-1008 (facsimile)

Jonathan D. Selbin
New York State Bar No. 3948684
jselbin@lchb.com
Jason L. Lichtman
New York State Bar No. 4966107
jlichtman@lchb.com
250 Hudson Street, 8th Floor
New York, NY 10013
(212) 355-9500 (telephone)
(212) 355-9592 (facsimile)

Mark P. Chalos
Tennessee State Bar No. 19328
mchalos@lchb.com
Kenneth S. Byrd
Tennessee Bar No. 23541
kbyrd@lchb.com
LIEFF, CABRASER, HEIMANN &
BERNSTEIN, LLP
150 Fourth Avenue North, Suite 1650
Nashville, TN 37219-2417
(615) 313-9000 (telephone)
(615) 313-9965 (facsimile)

**ATTORNEYS FOR PLAINTIFF
ROSS NEELY SYSTEMS, INC.**

CERTIFICATE OF CONFERENCE

The undersigned counsel hereby certifies that she has personally conferred with opposing counsel regarding the contents of the forgoing Motion. Defendants are unopposed to Plaintiff's Motion and the relief sought herein.

/s/ Elizabeth Basden

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that a copy of the foregoing document was served on the following counsel via ECF notification on the 29th day of May, 2015 in accordance with the Federal Rules of Civil Procedure and Local Rule 5.1(d).

VIA ECF

Jeffrey S. Patterson
Angela Gordon
Tyler Stuart
HARTLINE DACUS BARGER DREYER LLP
8750 North Central Expressway, Suite 1600
Dallas, Texas 75231
ATTORNEYS FOR DEFENDANTS

/s/ Elizabeth Basden